



RECORDS RETENTION SCHEDULE



Prepared by
STATE RECORDS BRANCH
Public Records Division
Kentucky Department for Libraries and Archives

RECORDS RETENTION SCHEDULE

Signature Page

Personnel Board
 Agency
 Unit

September, 1995
 Schedule Date
 Change Date
 9/14/95
 Date Approved by Commission

APPROVALS

The undersigned approve of the following Records Retention Schedule or Change:

✓ R. Hanson Williams
 Agency Head


8/30/95
 Date of Approval

✓ R. Hanson Williams
 Agency Records Officer

8/30/95
 Date of Approval

Richard L. Relding
 State Archivist and Records Administrator
 Director, Public Records Division

August 28, 1995
 Date of Approval


 Chairman, Archives and Records Commission

9/14/95
 Date of Approval

The undersigned Public Records Division staff have examined the record items and recommend the disposition as shown:

Kathy Gilliland
 Records Analyst/Regional Administrator

8/28/95
 Date of Approval

James G.
 Appraisal Archivist

9/5/95
 Date of Approval

William Moser
 State/Local Records Branch Manager

Aug 28, 1995
 Date of Approval

The determination as set forth meets with my approval.

ABClander III
 Auditor of Public Accounts

9/12/95
 Date of Approval

by Cindy M. Jones

STATE ARCHIVES AND RECORDS COMMISSION
Public Records Division
Kentucky Department for Libraries and Archives

Schedule Date: September 14, 1995

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

General Government
Personnel Board

Records Title				Retention			
Series	and Description	Function and Use		Contents	Disposition Instruction		
00177	Appeal/Court Hearings File (Includes Appeal filed, Notice of Hearing, Motions, Recommended Order, Final Order, Transcript/Videotape) (V)	This series documents the hearings filed and decisions of the Personnel Board relative to the mandates of KRS 18A.075 to 18A.095. The Board hears an appeal of any classified employee who is dismissed, demoted, suspended, or otherwise penalized after completing his probationary period of service, when filed within 60 days, or any unclassified employee who is dismissed, demoted, suspended, or otherwise penalized for cause, when filed within 30 days after such dismissal. The Board hears appeals from applicants for positions for which examinations are being or have been conducted and from eligibles on examination registers. The Board will hear an appeal within 60 days of its filing, and will issue a final determination of the disposition within 90 days. An appeal of the final order may be filed with the Franklin Circuit Court within 30 days. The videotaping of hearings began in September, 1994--the same system as used by the Administrative Office of the Courts (04009). However, the file holds the procedural documents required for a hearing. The videotape has replaced the transcript. A new videotape is used for each hearing, except the Department of Personnel Appeals File (04528).		Appeal by an employee; Disciplinary letter; Notice of hearing date; Motions, Orders relating to appeal; Recommended Order of the hearing officer; Exceptions or responses filed by the parties; Final Order; Petition to circuit court, if applicable; Transcripts (upon request from court reporter); Videotape of hearing	Agency: Indefinite	Records Center: 9 years	Archives Center: NA
004527	Pre-Conference Hearing File (V)	This series documents the cases appealed to the Personnel Board because an employee, applicant for employment, or an individual eligible on an examination register feels he has been discriminated against or penalized in some manner. Pursuant to 101 KAR 1:365, Section 3, the pre-conference hearing is conducted by a hearing officer to determine jurisdiction, define the issues, determine which facts, if any, can be stipulated, rule on pending motions or requests, and address any matter which will facilitate a hearing. The hearing officer may, based on the information in the pre-conference hearing, make a recommendation to proceed with an evidentiary hearing (See Appeal/Court Hearings File-SN 00177) or dismiss the case based on an untimely appeal, lack of evidence, or lack of jurisdiction. Upon dismissal, the file serves no further administrative value. If there are grounds for an evidentiary hearing, the case is then documented in the Appeal/Court Hearings File (SN 00177).		Appeal Form; Legal pleadings, attachments or supporting documentation; Notice of Hearing; Witness List; Exceptions, Responses to Exceptions; Interim Order(s); Recommended/Final Orders	Agency: Indefinite	Records Center: NA	Archives Center: NA
					Transfer cases satisfying the requirements of an evidentiary hearing to the Appeal/Court Hearings File (00177). Destroy all others six months after closure		

STATE AGENCY RECORDS RETENTION SCHEDULE

General Government Personnel Board

Records Title		Function and Use	Contents	Retention		
Series	and Description			Disposition Instruction		
04528	Department of Personnel Appeals File (V)	This series documents the hearing conducted between an appellant (an employee, an applicant for employment, or an eligible on the examination register) and the Department of Personnel (DOP) where the issues are so minute and uncomplicated that a settlement or agreement can be reached easily, if not dismissed. Such issues will be a rejected application because the applicant did not meet minimum qualifications, or having an applicant's name removed from the register because a current address was not available and the party could not be found. In such a case, the applicant is located and an address identified, his name is re-placed on the examination register. The case file is also documented in the DOP (See Attorney's Litigation/Work File-SN 03539) and is retained five years after closure. These hearings, when conducted, are videotaped.	Appeal Form; Notice of Appeal; Legal pleadings, attachments; Correspondence; Witness List; Recommended/Final Orders	Agency: Indefinite	Records Center: NA	Archives Center: NA
				Destroy six months after closure of the case		
04529	Investigation File (C) KRS 61.878 (1)(h)(i) (V)	This series documents the investigation activities conducted by the Executive Director of the Personnel Board or the General Counsel either at the request of a citizen, taxpayer, interested party, a state employee(s), or on its own motion, concerning the enforcement and effect of KRS 18A.005 to 18A.200, or some practice imposed on state employees. It is by vote of the Board that an investigation is ordered (which will be reflected in the Minutes (M0008). Upon conclusion of their findings to the Board, an order may be issued to effect a change within an agency, or, if appropriate, be referred to the Commonwealth's Attorney if there is an appearance of criminal activity. One such example would be Butch Burnette, former Agriculture Commissioner, whose case was tried in Franklin Circuit Court. Another example of an investigation is at the request of an individual or group of individuals at the placement of unclassified employees into classified positions. At the conclusion of an investigation, a report is completed and included in the file. There is no other documentation in the Board Minutes (M0008).	Request for investigation; Board Order authorizing the investigation; Correspondence; Statements; Report of investigation to the Board	Agency: Indefinite	Records Center: 5 years	Archives Center: NA
				Transfer to the State Records Center five years after closure		
04530	Order Books	This series documents the final order (decision, settlement, or withdrawal) of the Personnel Board to all case files, both evidentiary and prehearing. Effective April 1, 1995, if an order is appealed to the Franklin Circuit Court, and the court changes the ruling of the Board, a copy of the decision is attached to the pertinent final order in the Order Book and a copy is maintained with the case file. If the court directs the Board to change an order, then a copy of the additional order of the Board is also attached to the pertinent final order in the Order Book. Other legal or historically significant board and court decisions prior to April, 1995, are located in existing case files.	Recommended and Final Orders	Agency: Permanent	Records Center: NA	Archives Center: NA
				Retain in agency		